

REMARKS

In the Office Action mailed 21 October 2005, claims 1-10 were rejected and that rejection was made final. No mention was made of claim 15 and 16 added in the response entered at the USPTO IFW website on 14 September 2005.

Applicant has carefully reviewed the Office Action and the enclosed is a full and complete response thereto, to the extent possible. Applicant submits that the amendments raise no new issues, are fully responsive to the Office Action and place the case in condition for allowance or in better condition for appeal.

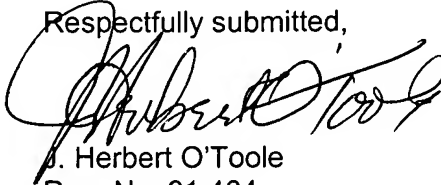
Applicant has cancelled claim 15 and amended claims 1 and 16. The limitations of previously pending claim 15 have been merged into claim 1. Claim 16 is now dependent on claim 1.

Claims 1 through 10 had been rejected under 35 USC 103 as obvious over the combination of Benefiel et al., U.S. Patent No. 4,981,468 in view of Lowe et al., U.S. Patent No. 4,860,929. Benefiel had been cited for a straw containing a "material" and Lowe, et al. is newly cited for disclosing a straw having a diameter (inside or outside not specified) of up to 15 mm (0.59 in.). Since the reference originated in England where O.D. is the predominant measurement for pipes and bolts, a reasonable presumption is that the O.D. is being referenced.

Applicant has amended claim 1 to include the limitation previously recited in claim 15, viz. an ID of 0.75 in. This limitation is that disclosed at paragraph 19 of applicants' specification and conforms to the product "Suck & Blow" currently being sold. See attachments B, C and D of the response dated 12 September 2005.

In view of the amendments and remarks above, Applicant submits that this application is in condition for allowance and requests reconsideration and favorable action thereon.

Respectfully submitted,



J. Herbert O'Toole
Reg. No. 31,404
Attorney for Applicant(s)
Nexsen Pruet, LLC
P.O. Box 10107
Greenville, SC 29603
Telephone: 864-370-2211
Facsimile: 864-282-1177

Enclosures: None

I hereby **CERTIFY** that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22131-1450.

Date:

NOV 3, 2005

by:

Jacqueline Beavers

